



BAILEY DUQUETTE P.C.

February 8, 2023

BY ECF

The Honorable Robert W. Lehrburger
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *In re Application of Forensic News LLC & Scott Stedman*, No. 22-MC-0229

Dear Judge Lehrburger:

I am civil counsel to third-party Mark Rossini. I write in connection with the Court's email of yesterday setting a conference in this matter for Friday, February 10 at 9:30 a.m., and asking that the parties confirm their availability.

I write to advise the Court that I have a conflict at that time, and write, respectfully, to request that the conference be adjourned to Thursday of next week, or the following week.

As stated in my January 27, 2023 letter (at footnote 4), I am on trial this week and next in the case *Gentry T. Beach et al. v. Touradji Capital Management, LP et al.* (Index No.: 603611/2008) in New York State's Commercial Division. While I am co-trial counsel in that case, it is expected that I will be taking the testimony of a critical witness on Friday (and for which I have been planning for many months). Mr. Rossini's criminal counsel, Michael Nadler is also unavailable on Friday. In light of my trial schedule, we respectfully ask that the conference be adjourned to Thursday, February 16, ideally for a time early in the day; between 1:00 p.m. and 2:15 p.m.; or late in the day. The presiding Judge in the *Beach* trial – the Honorable Andrea Masley – has been conducting the *Beach* trial from 10 a.m.-1 p.m. and 2:15-4:00 p.m.

Finally, if the conference is scheduled for next week, I request that I be permitted to attend in person, since I may be unable to find a quiet space in the New York State Courthouse at 60 Centre Street to appear remotely.

This is the first such request for an adjournment. Counsel for the Petitioners does not consent to the request and asked us to convey that their preference is to keep the existing conference date as is.

I appreciate the Court's consideration.

Respectfully submitted,

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The Honorable Robert W. Lehrburger

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cc: All Noticed Counsel (by ECF)